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Attorney Docket No. 22596-538 (AQ0108)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Li *et al.*

SERIAL NUMBER: 10/726,467

EXAMINER: Charlesworth E. Rae

FILING DATE: December 2, 2003

ART UNIT: 1614

FOR: METHOD OF TREATING CANCERS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

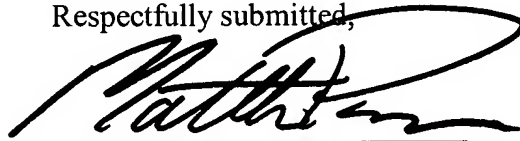
TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Response to Requirement for Restriction/Election of Species (2 pgs); and
2. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (617) 542-6000, Boston, Massachusetts. No additional fees are due, however, the Commissioner is requested to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311 (Reference No. 22596-538 (AQ0108)).

Respectfully submitted,



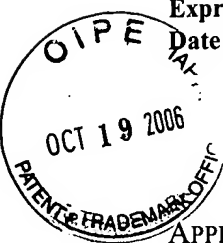
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RESPONSE TO REQUIREMENT FOR RESTRICTION/ELECTION OF SPECIES

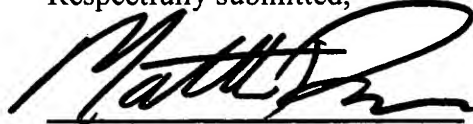
In response to the September 26, 2006 Restriction Requirement in the above-identified application, Applicants elect Group I, Claims 1-31 and 36-39, drawn to a method of administering a composition of a cell cycle checkpoint activator and an oncogenic kinase modulator, classified in class 514, subclass 252.18.

The Restriction Requirement also requires the election of a single species of cancer and a single specific combination of a cell cycle checkpoint activator and an oncogenic kinase modulator. Applicants first elect the cancer species multiple myeloma. Applicants further elect the combination of β -lapachone and imatinib. Claims 1-7, 9-31, and 36-38 read on the elected species.

Applicants respectfully note that the election of species is made for the purpose of examination of the claims only and that Applicants maintain the right to have the full scope of the claims, as written, examined on the merits. Further, Applicants respectfully reserve the right to prosecute the non-elected claims and species in a continuation or divisional application and also respectfully reserve the right to traverse the Examiner's requirement of a restriction/election in a future response to the U.S. Patent and Trademark Office.

This response is due on or before October 26, 2006. Applicants believe no additional fees are due with this submission, however, should any fee be due, the Commissioner is hereby authorized to charge the fee, or credit any overpayment, to Deposit Account No. 50-0311 (Reference No. 22596-538 (AQ0108)).

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Ivor R. Elrifi', is written over a horizontal line.

Ivor R. Elrifi, Reg. No. 39,529
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Dated: October 19, 2006

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